

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

<b>MAEKAYLA RAEANN GADDIE, )</b>		
	)	
Plaintiff, )		
v. )		<b>Case No. CIV-24-274-GLJ</b>
	)	
<b>MICHELLE A. KING, )</b>		
<b>Acting Commissioner of the Social )</b>		
<b>Security Administration,<sup>1</sup> )</b>		
	)	
<b>Defendant. )</b>		

**OPINION AND ORDER**

Claimant, Maekayla Raeann Gaddie, was the prevailing party in this action under the Social Security Act. Claimant now files a Stipulated Motion for Award of Attorney Fees Under the Equal Access to Justice Act (“EAJA”) [Docket No. 18], indicating that the parties have stipulated to attorney fees in the amount of \$4,894.50.

Upon review of the record herein, the Court finds that the agreed amount is reasonable, and that the Commissioner should be ordered to pay it to Claimant as the prevailing party herein. *See* 28 U.S.C. § 2412(d)(1)(A) (“Except as otherwise specifically provided by statute, a court shall award to a prevailing party other than the United States fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in any civil action (other than cases sounding in tort)[.]”); *see also* *Manning v. Astrue*, 510 F.3d 1246, 1251 (10th Cir. 2007) (“The EAJA therefore permits

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<sup>1</sup> On January 20, 2025, Michelle A. King became the Acting Commissioner of Social Security. In accordance with Fed. R. Civ. P. 25(d), Ms. King is substituted for Carolyn W. Colvin as the Defendant in this action.

attorney's fees reimbursement to financially eligible prevailing parties, who make a proper application, and not to their attorneys.”).

Accordingly, IT IS ORDERED that the Stipulated Motion for Attorney Fees Under the Equal Access to Justice Act [Docket No 18] is hereby GRANTED. The Government is hereby ordered to pay the agreed-upon \$4,894.50 fee award to Claimant as the prevailing party herein. IT IS FURTHER ORDERED that if Claimant's attorney is subsequently awarded any fees pursuant to 42 U.S.C. § 406(b)(1), said attorney shall refund the smaller amount of such fees to the Claimant pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

**DATED** this 11th day of February, 2025.



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**GERALD L. JACKSON**  
**UNITED STATES MAGISTRATE JUDGE**